

#12
JP
2/13/03**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Shelly E. Sakiyama-Elbert and Jeffrey A. Hubbell

Serial No.: 09/848,664

Art Unit: 1646

Filed: May 3, 2001

Examiner: M. T. Brannock

For: *CONTROLLED RELEASE OF NON HEPARIN-BINDING GROWTH FACTORS
FROM HEPARIN-CONTAINING MATRICES*

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Sir:

Responsive to the Office Action mailed January 10, 2003, please consider the following remarks. It is believed that no fee is required with this submission. However, should an additional fee be required, the Commissioner is hereby authorized to charge any additional fees to Deposit Account No. 50-1868.

Response to Election of Species Requirement

Claims 1, 3-7, 20, 21, 24-27, 57-59, and 61-65 are pending. A copy of the claims as pending is attached in the Appendix for the Examiner's convenience.

The Office Action mailed January 10, 2003 required election of species. In response, Applicants elect (A) fibrin, as the substrate, (B) heparin sulfate, as the heparin-like compound, and (C) TGF- β 3, as the growth factor. Claims 1, 3-7, 20, 24-27, 57-59, and 61-65 read on this species election. Applicants make this species election with the understanding that upon a

U.S.S.N. 09/848,664

Filed: May 3, 2001

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

finding that the prior art does not disclose the species, the generic claims will be searched and examined.

Favorable consideration of claims 1, 3-7, 20, 21, 24-27, 57-59 and 61-65 is earnestly solicited.

Respectfully submitted,



Rivka D. Monheit

Reg. No. 48,731

Date: February 10, 2003

HOLLAND & KNIGHT LLP

One Atlantic Center

1201 West Peachtree Street

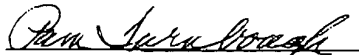
Atlanta, Georgia 30309-3400

(404) 817-8514

(404) 817-8588 (fax)

Certificate of Facsimile Transmission

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being facsimile transmitted on this date, February 10, 2003, to the Assistant Commissioner for Patents, Washington, D.C. 20231.



Pam Turnbough

Date: February 10, 2003